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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,940	11/25/2003	Rex Coppom	STR0001	8310

25235 7590 11/22/2005

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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliant Appeal Brief
(37 CFR 41.37)**

Application No.

10/721,940

Applicant(s)

COPPO M ET AL.

Examiner

Richard L. Chiesa

Art Unit

1724

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 14 October 2005 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☒ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☒ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

Note attached pages 2 and 3.

Richard L. Chiesa
Primary Examiner
Art Unit: 1724

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**NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR
41.37(c)**

(A) The title of the brief filed on October 14, 2005 should be changed to –APPELLANTS’ BRIEF UNDER 37 CFR 41.37(c)--.

(B) Under the heading “Status of Claims”, it should be stated that all of claims 1-24 are also rejected.

(C) Under the heading, “Status of Amendments”, it should be explained that the communication filed on April 15, 2005 subsequent to the final rejection did not amend the claims but did include remarks which were entered into the record.

(D) Under the heading “Argument”, there should be separate subheadings for each one of claims 3-5 because each one of these dependent claims is apparently being argued separately on page 6 of the brief.

ALLOWABLE SUBJECT MATTER

(E) Upon reconsideration in view of appellants’ remarks in the brief, it is noted that appellants may instead make the following changes to the claims to place this case into condition for allowance:

(1.) Insert the phrase --distributed over the entire surface of the filter media-- between “locations” and the period at the end of claims 1 and 12.

(2.) Insert the phrase --distributed over the entire surface of the filter media-- between “locations” and the semi-colon in claim 17, line 6, and claim 24, line 10.

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(3.) Insert the word --fibrous-- between "a" and "filter" (claim 23, line 2). Change the phrase "an electrode" (claim 23, line 6) to --a conductive electrode--. Insert the phrase --in a plurality of substantially planar locations distributed over the entire surface of the filter media-- between "media" and the semi-colon (claim 23, line 7).

(F) Support for the changes suggested above in paragraph (E) may be found in paragraph [0033] on page 11 of the specification.

(G) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard L. Chiesa whose telephone number is (571) 272-1154.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane S. Smith, can be reached at (571) 272-1166.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1700 receptionist whose telephone number is (571) 272-1700.

Facsimile correspondence must be transmitted through (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard L. Chiesa
November 17, 2005

Richard L. Chiesa
RICHARD L. CHIESA
PRIMARY EXAMINER
ART UNIT 1724

Nov. 17, 2005